

MAGISTRATE JUDGE MARY ALICE THEILER

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	NO. CR05-315-JLR
)	
Plaintiff,)	
)	(PROPOSED) ORDER TO EXTEND
vs.)	TIME TO FILE INDICTMENT
)	
EDDIE MARTINEZ-SANTANA,)	
)	
Defendant.)	
)	
)	

The Court, having reviewed the stipulation of the parties, and the defendant's agreement to extend the time for an indictment, finds as to the facts stipulated to by counsel in that document, and hereby makes the following findings of fact:

1. A failure to grant the continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(8)(B)(ii).

2. The parties believe that an extension of time in which to indict may result in the possible resolution of the case without an indictment and without trial. Thus, the Court further finds that the ends of justice will be served by ordering a continuance in this case, that a continuance is necessary to insure effective trial preparation and that these factors outweigh the best interests of the public in a more speedy trial, within the meaning of 18 U.S.C. § 3161(h)(8)(A).

1 IT IS THEREFORE HEREBY ORDERED that the time within which an
2 indictment in this case must be filed against the defendant shall be extended from
3 September 22, 2005, to October 28, 2005.

4 IT IS FURTHER ORDERED that the period of delay from September 22, 2005,
5 to October 28, 2005, is excludable time pursuant to the Speedy Trial Act, 18, U.S.C. §§
6 3161 *et seq.*

7 DONE this 20th day of September, 2005.

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9 
10 Mary Alice Theiler
11 United States Magistrate Judge

12 Presented by:

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25 *E-Mail Approval*
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